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DECLARATION - USA PATENT APPLICATION

COMPOSITION BUILDING
MATERIAL

I, a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled COMPOSITION BUILDING MATERIAL; the specification of which was filed on **October 9, 2001** as Application Serial No. 09/973,844.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/239,155

Filing Date: October 10, 2000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Harvey Dale DeFord**

Inventor's signature Harvey Dale DeFord

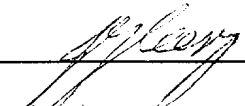
Date December 7, 2001

Residence: **6844 Nevada Court, Rancho Cucamonga, CA 91701**

Citizenship: **USA**

Post Office Address: **Same as above**

Full name of second inventor: **James A. Gleeson**

Inventor's signature 

Date December 10th, 2001

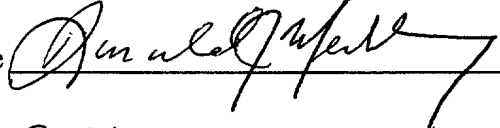
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FILED

Residence: **11 Blackwood Road, North Curl Curl, NSW 2099, Australia**

Citizenship: **Australian**

Post Office Address: **Same as above**

Full name of third inventor: **Donald J. Merkley**

Inventor's signature 

Date Dec 7, 2001

Residence: **5054 Klusman Avenue, Alta Loma, CA 91737**

Citizenship: **USA**

Post Office Address: **Same as above**

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

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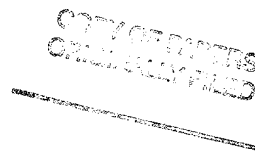
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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Harvey Dale DeFord et al.)
App. No. : 09/973,844)
Filed : October 9, 2001)
For : COMPOSITE BUILDING MATERIAL)
Examiner : Unknown)
_____)



ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and

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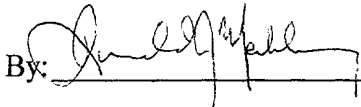
App. No. : 09/973,844
Filed : October 9, 2001

Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

JAMES HARDIE RESEARCH PTY LTD

Dated: Dec 14, 2001

By: 

Print Name: Donald J. McKelvey

Title: DIRECTOR

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